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April 13, 2020

APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J. 4/14/2020

VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Courtroom 518
New York, NY 10007

The mediation referral at Document 47 is terminated. The Clerk's Office is directed to transmit a copy of this endorsement to the Mediation Program.

Re: *Gomez Cervillos et al. v. Hill and Dale Restaurant Group, LLC et al.*,
Case 1:19-cv-07278-VSB

Your Honor:

My firm represents Plaintiffs in the above-captioned matter. This matter is currently scheduled for mediation, pursuant to the Southern District of New York's mediation referral program, to take place on April 30, 2020. Previously, the mediation was scheduled to take place on April 3, but the parties and the mediator agreed to adjourn it in advance of that date as the ongoing pandemic was unfolding.

The parties, through their respective counsel, are currently engaged in settlement discussions and are hopeful that these discussions will ultimately be successful in resolving this matter without the need for mediation. It is clear as of this writing that the pandemic will not subside in time to allow for in-person mediation at the courthouse on April 30, and the parties believe that a remote mediation session would be unduly complicated from a logistical standpoint and unlikely to materially advance efforts at settlement. Accordingly, the parties jointly request that the Court terminate the instant referral for mediation on the understanding that should the need for outside assistance in settlement efforts arise at a later date, the parties would request to hold a settlement conference before a United States Magistrate Judge.

The parties thank the Court for its attention to this matter.

Respectfully Submitted,

/s/ Jordan Gottheim
Jordan Gottheim, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
Attorneys for Plaintiff

Cc: Hillary J. Raimondi, Esq. (via ECF)